

REMARKS/ARGUMENTS

The following amendments and remarks are in response to the Office Action dated December 1, 2008, finally rejecting claims 1-3. Attached hereto is a Request for Continued Examination to re-open prosecution. Entry and consideration of the amendments and remarks is respectfully requested.

Claims 1-3 are currently pending in this application. Claim 4 has been cancelled and claims 5-8 have been withdrawn from consideration. Claim 1 has been amended to limit the control of the oxidation-reduction potential of the cleaning solution to the "blowing of air."

In the Office Action, claims 1-3 were rejected as being unpatentable over Japanese Patent 10230137 (Iida et al.) in view of U.S. Patent No. 5,009,871 (Higuchi et al.).

This rejection was first presented in the previous Office Action, and has been reiterated here. Iida et al. disclose a method for removing mercury from a combustion exhaust gas. The method includes injecting ammonia and HCl into an exhaust stream to oxidize metallic Hg to HgCl_2 . The HgCl_2 is removed by wet desulfurization.

Higuchi et al. disclose a method of removing mercury from an exhaust gas, including measurement of the oxidation-reduction potential of the washing liquid and the addition of hydrogen peroxide or the like is used as the oxidizing agent.

In view of the amendments made to claim 1, it is respectfully submitted that Iida et al. and Higuchi et al., either alone or in combination, do not disclose the invention as claimed. Specifically, neither reference discloses the use of air as the oxidizing agent.

Higuchi et al., which is used by the Examiner to disclose the use of an oxidizing agent such as hydrogen peroxide, do not disclose the use of air as the oxidizing agent.

Instead, Higuchi et al. require the addition of an oxidizing agent which must be manufactured and/or purchased, which can become costly. Moreover, such an oxidizing agent may absorb waste other than Mercury, such as sulfur dioxide, resulting in the increased use of the oxidizing agent and thus, increased cost.

The present invention, on the other hand, claims the use of air as the oxidizing agent. As stated in paragraph [0016],

According to the present invention, mercury can be absorbed and removed more surely by fixing mercury in the absorbing solution, so that the removal rate of mercury in exhaust gas can be increased. Also, mercury can be removed surely merely by providing ancillary equipment to the existing equipment, and an apparatus specially designed for mercury removal is not needed, so that space saving and a lower cost exhaust gas treatment system can be anticipated. Especially when air is used for oxidation, an oxidizing agent is not consumed, so that a low cost can be achieved easily.

Application No. 10/815,419, paragraph [0016]. Therefore, the use of air is a far superior method to the use of other oxidizing agents, such as those disclosed in the cited prior art.

None of the cited references disclose this additional element of claim 1, which is fully supported by the original specification of the application. As such, it is respectfully requested that Examiner withdraw this rejection.

Finally, claims 2 and 3, which are dependent on claim

1, are also believed to be allowable over the cited prior art, by virtue of their dependence on claim 1.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone Applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: February 23, 2009

Respectfully submitted,
Electronic signature: /Brian R.
Tomkins/
Brian R. Tomkins
Registration No.: 58,550
LERNER, DAVID, LITTENBERG,
KRUMHOLZ & MENTLIK, LLP
600 South Avenue West
Westfield, New Jersey 07090
(908) 654-5000
Attorney for Applicants